THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25801 of 2006

Dated:22.01.2007

Between:

Yesupogu Venkateswarlu, and others.

…Petitioners

and

The District Collector and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25801 of 2006

ORDER:

The three petitioners are residents of Talluru Village of Bogulu Mandal in Nellore District. They statedly belong to Scheduled Caste. They are allegedly landless poor persons. It is their case that in 1988, the third respondent granted 'ek saal' lease (lease for one year) in respect of land in Survey No.382 admeasuring Acs.3.00 to petitioners 1 and 3 and Acs.3.48 cents to the second petitioner. As a result of such 'ek saal' lease, they are cultivating the land. They made representations seeking regular assignment, in vain. They also filed W.P.No.14494 of 1993, which was disposed of by this Court on 17.01.1994 directing the respondents to consider their representations and pass appropriate orders. In spite of the same, no orders were passed. It is alleged that the third respondent assigned land in favour of third parties ignoring the claims of the petitioners, but the petitioners were not dispossessed. They made representations to the first respondent on 27.10.2006, 06.11.2006 and 13.11.2006 for redressal, in vain. Therefore, they filed the present Writ Petition seeking a direction to the first respondent to pass appropriate orders.

After getting instructions, the learned Assistant Government Pleader for Revenue (General-A) submits that a notice was issued to the petitioners to appear, but they failed to appear. He also submits that the land is already assigned to others. He also disputes the possession of the petitioners. The representations made by the petitioners are still pending. Therefore, the first respondent may forward the representation made by the petitioners on 13.11.2006 to the second respondent, who shall treat the same as an appeal against the assignment, and pass appropriate orders within a period of eight

weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

22.01.2007
vs